

TOMPKINS COUNTY LOCAL LAW 413 - 1998
Regulating the Self-Service Sale of Tobacco Products

SP,CTION 1. PURPOSE

Prohibiting the self-@icc sales and open displays of tobacco products will promote the health safety and welfare of residents of Tompkins County under the age of eighteen by making it morr- difficult for such minorm to purchase tobacco products.

SECTION U. DEFINITIONS

The following words and phrases, whenever used in this article, shall be construed as derined in this section:

1. 'Bgtr' sl*ll be defined as in subdivision two of section 1399-n of the Public llea@ Law,
2. 'Business" man& any sole proprietorship, joint venture, corporation or other business entity formed for profit-@g punmsc4s. including retail establishments where goods or s@im am sold as well as professional corporations and other entities where legal. medical. engineering, architecmj or other Professional wvices am delivered.
- 3, "Perwn" shall mew any individual, partnership, r-oope"tive association. pn'vite corporation, personalrep tative, mciver, @tce. assignee, or any afly legal entity,
4. "Self@wMct nwrchandising" tn"ns open display of tobacco products @l the public hag a@s to without the intervention of an employee.
5. "Tobacco product" means any tobacco cigarette, cigar, pipe tobacco, smokeless tobacco, snuff or any other form of tobacco which uay be utilized for smoking, ch@g, inhalation or other numcr of ingesdon.
6. "Tabam @ess" shall be decined as in subdivision @em of section 1399-n of the Public Health LAW.
7. "Tobacco rctalee shall nxan any person or governmental entity that operates a store, sw4 booth, concession, or other place at which sales of tobacco products are ffinde to purchasem for conrumption or use,

SECTION III. REGULATION OF TFIE SALE OF TOBACCO PRODUCTS

No person, business, or tobacco retailer shall sell, permit to be cold, ofrer for &sic or display any tobacco product by mmu of self-service mtmhandising. Irbit section shall not apply to the sale or tobacco products 'in vending machines located in a bar or in vending machines in the bar area of a rood s@ce establishment with a valid on-premis= full liquor license or in a tobacco business.

SECTION IV. VIOLATIONS AND PENALTIES

Any persoft, businm,, tobacco retailer, or owner, manager or operator of any establishment subject to this local low who falls to comply with any provision of this local law shall be guilty of a viola6on as derined by Section 55.00 of the Pcnal Law and be subject to a rtnc or up to s i,000 for a first violation and a rine of up to \$2,500 for a second or succeeding violation or by imprisonment of not more than fifteen days or by both such rutc and impr'n'sowmnt. Any peace offi= or police officer within the County of Tonvkins is autho@ to enforce @s local law. 'Me County Board of Health and @ Public Health D'rector arc su@zed to cnfrm this local law in the same manner as a violation or the County Sanitary @ze.

SECTION V. STAVMORY SEVERABILITY

If any provision, clause, sentence or paragraph of @ local law or the application thereof to any person or circumtmms shall be held invalid. such invalidity shall not afrect the other provisions or this local low which cm be given effect without the invalid provisions or application, and to this end the provisions of this local law arc declared to be severable.

SECTION VI. EF7E DATE

Ibis local low shall take effect September 1, 1998-